IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 947 OF 2004

IN

SUIT NO. 914 OF 2004

Housing Development Finance
Corporation Ltd. ..Plaintiff

versus

Avinash R. Hindalekar & Ors. ..Defendants

Mr. S. S. Patwardhan i/b. V. Deshpande & Co. for the Plaintiff.

Mr. J. K. Jadhav for the Defendants.

CORAM : D. G. DESHPANDE,J.

DATE : 26TH OCTOBER 2004.

P.C. :

1. Heard learned counsel for the parties. According to the defendant he is in actual possession of the flat in respect of which this notice of motion is taken out. Receiver has already been appointed and he has taken a symbolic possession. Defendant, who is present in person, hereby agrees to pay to the plaintiff Rs.2,500/= per month from 1.1.2005 till the defendant pays Rs.80,000/=. All the contentions of the plaintiff and the defendants about their respective claims are

kept open. If there are two consequent defaults, the plaintiff will be at liberty to apply for taking possession from the defendants or for any other relief, which the plaintiff thinks fit and proper in the circumstances. In view of the above, notice of motion is disposed of.

2. Certified copy expedited.

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